

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:04CR384
)	
vs.)	ORDER
)	
JEROME BASS,)	
)	
Defendant.)	

This matter is before the court on the motion to continue trial by defendant Jerome Bass (Bass), (Filing No. 45). Bass seeks a continuance of the trial until after August 15, 2005. Bass has submitted an affidavit in accordance with paragraph 9 of the progression order whereby Bass consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act (Filing No. 44). Upon consideration and for good cause shown, the motion will be granted.

IT IS ORDERED:

1. Bass's motion to continue trial (Filing No. 45) is granted.
2. Trial of this matter is scheduled for **August 29, 2005**, before Chief Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **May 16, 2005 and August 29, 2005**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 16th day of May, 2005.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge